

Notice of Allowability

Application No.

09/849,979

Examiner

Matthew S. Gart

Applicant(s)

GANESAN ET AL.

Art Unit

3625

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to RCE 7/13/2007.
2. ☒ The allowed claim(s) is/are 59-68, 70-77, 79 and 83-106.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

MATTHEW S. GART
PRIMARY EXAMINER
TECHNOLOGY CENTER 3600

REASONS FOR ALLOWANCE

The following is an examiner's statement of reasons for allowance:

Regarding independent claims 63 and 74

The prior art of record neither anticipates nor fairly and reasonably teaches a method for making a monetary gift, comprising, *inter alia*, further transmitting, via the network, the transmitted electronic greeting card including a hyper-link and the notification of the monetary gift to a non-designated recipient.

The prior art of record neither anticipates nor fairly and reasonably teaches a system for making a monetary gift, comprising, *inter alia*, the communication port further configured to receive, via the network over the hyperlink, information identifying a non-designated recipient subsequent to a transmission of the electronic greeting card.

The most noteworthy prior art of record is to: Van Dusen (US Patent No. 6,175,823) and Albrecht (US Patent No. 5,984,180). Claims 63 and 74 require that the designation of the recipient, the e-mail address, is made by the donor. Van Dusen does not change the recipient of the e-mail message, but rather allows the recipient to select one of the multiple accounts associated with the e-mail address that should be credited with the money from the gift.

None of the prior art of record remedies the deficiencies found in Van Dusen and Albrecht. Furthermore, neither the prior art, the nature of the problem, nor knowledge of a person having ordinary skill in the art, provide any reasonable rationale to combine prior art teachings.

Regarding independent claims 64 and 75

The prior art of record neither anticipates nor fairly and reasonably teaches a method for making a monetary gift, comprising, *inter alia*, debiting a payment account at a financial institution associated with the requesting donor.

The prior art of record neither anticipates nor fairly and reasonably teaches a system for making a monetary gift, comprising, *inter alia*, the payment account associated with the donor is directed to be debited at a time subsequent to an activation of a hyper-link included in the transmitted electronic greeting card.

The most noteworthy prior art of record is to: Van Dusen (US Patent No. 6,175,823) and Albrecht (US Patent No. 5,984,180). Van Dusen teaches crediting of the recipient's account after activating the hyper-link, not debiting the donor's account after activation of the hyper-link.

None of the prior art of record remedies the deficiencies found in Van Dusen and Albrecht. Furthermore, neither the prior art, the nature of the problem, nor knowledge of a person having ordinary skill in the art, provide any reasonable rationale to combine prior art teachings.

Regarding independent claims 66 and 77

The prior art of record neither anticipates nor fairly and reasonably teaches a method for making a monetary gift, comprising, *inter alia*, wherein the request is received from an electronic greeting card service.

The prior art of record neither anticipates nor fairly and reasonably teaches a system for making a monetary gift, comprising, *inter alia*, wherein the request is received from an electronic greeting card service.

The most noteworthy prior art of record is to: Van Dusen (US Patent No. 6,175,823) and Albrecht (US Patent No. 5,984,180). Van Dusen does not present evidence of how the recipient's Internet Service Provider generates the greeting card, rather it appears that the ISP merely forwards the electronic greeting card.

None of the prior art of record remedies the deficiencies found in Van Dusen and Albrecht. Furthermore, neither the prior art, the nature of the problem, nor knowledge of a person having ordinary skill in the art, provide any reasonable rationale to combine prior art teachings.

Regarding independent claims 68 and 79

The prior art of record neither anticipates nor fairly and reasonably teaches a method for making a monetary gift, comprising, *inter alia*, transmitting, via the network, the generated electronic greeting card to an electronic greeting card service prior to transmitting the electronic greeting card to the designated recipient.

The prior art of record neither anticipates nor fairly and reasonably teaches a system for making a monetary gift, comprising, *inter alia*, wherein the communication port is further configured to transmit, via the network, the generated electronic greeting card to an electronic greeting card service.

The most noteworthy prior art of record is to: Van Dusen (US Patent No. 6,175,823) and Albrecht (US Patent No. 5,984,180). Van Dusen does not show the donor generates the electronic greeting card and forwards it to the sponsoring merchant.

None of the prior art of record remedies the deficiencies found in Van Dusen and Albrecht. Furthermore, neither the prior art, the nature of the problem, nor knowledge of a person having ordinary skill in the art, provide any reasonable rationale to combine prior art teachings.

COMMENTS

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 7/13/2007 has been entered.

DRAWINGS

The drawings were received on 2/27/2007. The Examiner accepts these drawings.

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CONCLUSION

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Matthew S. Gart whose telephone number is 571-272-3955. The examiner can normally be reached on M-F, 9-6.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeff Smith can be reached on 571-272-6763. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

MSG
Primary Examiner
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